

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

HANYATH FEYICHITAN SOUMANOU,)
et al.,)
)
 Plaintiff,)
)
) No. 21 C 04957
v.)
)
ALEJANDRO MAYORKAS, Secretary,) Judge Blakey
DEPARTMENT OF HOMELAND)
SECURITY, et al.,)
)
 Defendants.)

MOTION TO SEVER AND DISMISS

Defendants, by their attorney, John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, move to sever plaintiffs' cases pursuant to Rule 21 of the Federal Rules of Civil Procedure. In support, the federal defendants state:

1. On September 17, 2021, counsel for plaintiffs filed a mandamus complaint against the defendants to adjudicate plaintiffs' applications to adjust status to that of a lawful permanent resident.

2. The complaint names twenty-one plaintiffs with unrelated cases and various different venues. Aside from the fact that they are all applicants for adjustment of status, the only thing that the plaintiffs share in common is that plaintiffs are all represented by the same attorney, Michael E. Piston. The mere fact that the plaintiffs share the same attorney does not justify their joinder in a single action which does not seek joint or class relief.

3. As this court is aware, counsel for the federal defendants attempt to expedite immigration cases in an attempt to resolve the cases without the need for extensive litigation and

incur further delay. Such efforts do not justify having opposing counsel file a single case and paying a single filing fee with a laundry list of unrelated clients. The federal defendants therefore respectfully request that the cases be severed and that plaintiffs be permitted to file complaints in the appropriate district courts separate from the complaint individually filed by Plaintiff Hanyath Feyichitan Soumanou. Plaintiff opposes this motion.

Respectfully submitted,

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